

Chapter 07 - Supervision and Monitoring

Section 10 – Violence Prevention Supervision

A. Introduction.

(1) The Violence Prevention Initiative (VPI) is a statewide, divisional commitment to reducing violence in Maryland by:

- (a) Using a validated risk-screening instrument to identify supervised individuals whose criminal histories and other factors indicate a propensity for violence; and
- (b) Providing enhanced supervision for the individuals identified in (1)(a).

(2) **Containment model and graduated sanctions.** Since its inception, the containment model used in VPI supervision provided a uniform and nondiscretionary agent response to any infraction, however minor, committed by a supervised individual. Such an approach no longer comports with State statute mandating the use of graduated sanctions in response to technical violations. (See Operations Manual 07.13 (“Infractions, Interventions, and Sanctions” for detailed information regarding graduated sanctions and, especially, subsection B, which identifies violations that are *not* technical violations and, therefore, are not subject to graduated sanctions.)

(3) **Use of graduated sanctions.** An agent shall use the Intervention-Sanction Matrix unless a supervised individual commits a:

- (a) Non-technical violation, as defined in Operations Manual 07.13.B; or
- (b) Technical violation that, in view of the supervised individual’s criminal and supervision history, permits the agent to deviate from a matrix-based intervention or response with good cause and with the prior approval of the agent’s supervisor, as set forth and described in Operations Manual 07.13.C(3).

B. Scope.

This section is specific to violence prevention supervision and does not apply to any other type of supervision provided by the Division.

C. Violence Prevention Supervision Organization.

The organizational elements of the violence prevention initiative shall be established by a Regional Administrator within the administrator’s region. These elements may include the formation of units and caseloads exclusively dedicated to supervising violent individuals and caseloads in which some supervised individuals are identified as violent and others are not.

D. Screening.

(1) Each individual 29 years old or younger who is placed with the Division shall be screened for violence prevention supervision using the Division's validated VPI Screening Tool.

(2) On the same day that a supervised individual is screened and the outcome is that the individual will be assigned to violence prevention supervision, the individual shall be assigned to violence prevention supervision.

E. Intake: Initial Meeting with Supervision Agent or Supervisor.

(1) As an element of the initial risk-screening process, an agent or supervisor shall meet with each individual assigned to violence prevention supervision and take the steps set forth in the next paragraph.

(2) At the meeting required under the preceding paragraph, an agent or supervisor shall:

(a) Conduct a Level of Service Inventory-Revised (LSI-R) with the individual;

(b) Develop a case plan based upon the outcome of the LSI-R;

(c) Provide the individual with a copy of form DPP-SUP-28 ("Violence Prevention Initiative Notice");

(d) Review with the individual the content of Form DPP-SUP-28 and have the individual sign and date the form;

(e) Provide the individual with a copy of the signed DPP-SUP-28;

(f) Place the signed original of form DPP-SUP-28 in the appropriate case folder and upload a copy into the Documents section of OCMS; and

(g) Ensure that the individual's supervision level in OCMS is VP1.

F. Non-Reporter to Intake.

An individual who fails to report to intake shall be screened on the date that intake learns that the individual was placed with the Division for supervision. If the individual qualifies for violence prevention supervision based on the initial risk-screening score, the:

(1) Individual's case shall be assigned to a supervision agent; and

(2) Agent shall conduct an absconder search as described in Operations Manual, Chapter 07, Section 01(N)(9).

(3) If the absconder search required under (2) fails to locate the individual, an agent shall:

- (a) Request a warrant for the individual's arrest; and
- (b) Notify the appropriate law enforcement agency that the individual cannot be located.

G. Post-Intake Violence Prevention Supervision Qualification – New Arrest.

(1) In some instances, an individual will not qualify for violence prevention supervision at initial intake because the individual does not meet the criteria for assignment to violence prevention supervision. If an individual is arrested during the course of supervision and the individual is 29 years old or younger at the time of the arrest, the agent shall:

- (a) Complete the VPI Screening Tool and Initial Screening Instrument, updating the fields impacted by the new arrest;
- (b) Report the new arrest to the Parole Commission or sentencing court; and
- (c) If the VPI Screening Tool indicates that the individual qualifies for violence prevention supervision, submit the case to the immediate supervisor for:
 - (i) Assignment of the supervision level to VP1; and
 - (ii) Transfer of the case to an agent who is assigned VPI cases, according to regional practices.

(2) An agent who receives a case in transfer pursuant to paragraph (1) shall, not later than 45 days after the date the agent is assigned the case, perform the duties listed in subsection E(2) above.

H. Violence Prevention Supervision.

(1) Regular and frequent contacts with each individual and a rapid response to noncompliance are the predominant characteristics of violence prevention supervision.

(2) **Orange file folder required.** Paper case material for each individual who is subject to violence prevention supervision shall be placed and maintained in an orange file folder.

(3) **Supervision contact menu.** The supervision contact menu for violence prevention supervision includes, as applicable:

- (a) Electronic monitoring;
- (b) Drug testing, if authorized by the Parole Commission or sentencing court;
- (c) Special condition verification;
- (d) Meetings between agent and individual at a police district;

- (e) Increased frequency of reporting;
- (f) Police-accompanied home contacts;
- (g) Call-ins; and
- (h) Strict enforcement of all supervision conditions.

(4) **Mandatory electronic monitoring for parole and mandatory release supervision.** An individual released on parole or mandatory release supervision shall be placed on electronic monitoring for 60 consecutive calendar days from the outset of supervision in the community.

(5) After 60 consecutive days of electronic monitoring, an agent shall, after consultation with the agent's supervisor, determine whether the parolee or mandatory release supervisee should be terminated from electronic monitoring or continued on electronic monitoring for renewable 30-day periods as follows:

- (a) The agent must be able to articulate one or more reasons justifying the continuation of the individual on electronic monitoring;
- (b) The reason articulated supports a sound supervision strategy, consistent with the agent's training and experience and the agency's public safety mission; and
- (c) The agent must fully document the reason(s) and the supervisor's final determination in the Case Notes section of OCMS.

(6) **VPI supervision level and minimum contacts.** An individual shall be supervised at this level at least until the first case reassessment, at which time the reassessment will dictate the level of supervision. An agent shall follow the contact standards established in Table 1, which appears at the end of this document.

(7) **Case review required.** At the supervised individual's one-year anniversary in VPI supervision, a case review shall be conducted by the individual's agent to:

- (a) Conduct a Level of Service Inventory-Revised (LSI-R);
- (b) Evaluate the results of the LSI-R and the individual's progress;
- (c) Make any necessary adjustments to the individual's case plan in accordance with that evaluation; and
- (d) Determine whether the individual should remain at supervision level VP1 or be assigned to a lower supervision level.

(8) **Case review outcome: remain in VPI.** If the individual is to remain in supervision level VP1:

- (a) The supervisor shall record in Case Notes the basis for this determination;
- (b) The individual shall remain in supervision level VP1 for an additional 60 consecutive days; and
- (c) A case review shall be conducted at the conclusion of the 60-day period prescribed in (b) of this paragraph.

(9) **Treatment special condition.** An agent shall refer an individual to a State-certified treatment program for a substance-abuse assessment if:

- (a) The individual's supervision order includes a special condition for substance abuse assessment or treatment;
- (b) The individual is not enrolled in a treatment program at the time the individual is placed with the Division; and
- (c) A referral was not effected at intake.

(10) **Special condition and employment verification.** Each month an agent shall verify an individual's special condition compliance and employment, as applicable.

I. Response to Noncompliance.

(1) Pursuant to Operations Manual, Chapter 7, Section 13 (Infractions, Interventions, and Sanctions), an individual assigned to VPI supervision is subject to graduated interventions and sanctions to address intermediate infractions and technical violations of the conditions of supervision. There are, however, situations in which non-compliant behavior by a high-risk individual require responses that deviate from options provided by the graduated interventions and sanctions matrix.

(2) **Electronic monitoring for probation sanction.** An agent shall prepare a report to the sentencing court requesting that the court impose electronic monitoring for a period of 60 consecutive days in lieu of formal violation proceedings for a probationer under VPI supervision who has incurred his or her first sanction for a technical violation.

(3) **Mandatory warrant request.** An agent shall request a warrant for an individual who is subject to VPI supervision if the individual:

- (a) Incurs a new criminal charge (i.e., arrest, criminal summons, indictment, or information) other than a minor traffic offense for which a jail term either may not be imposed or is customarily not imposed;

- (b) Commits an infraction or technical violation and is identified by the police as the suspect in a shooting;
- (c) Is accused of violating a no-contact, civil protection, or stay-away order;
- (d) Absconds from supervision;
- (e) Exhibits conduct that presents a danger to themselves or others; or
- (f) Otherwise presents a documented threat to public safety.

Note: A civil citation is not a criminal charge and does not carry the potential penalty of jail or incarceration. An agent should not confuse the receipt of a civil citation the receipt of a new criminal charge.

(4) **Supervisor's documentation required.** When a supervisor instructs an agent to request a warrant or concurs with an agent's recommendation to request a warrant, the supervisor shall document in a case note the supervisor's instruction or concurrence.

(5) **Expedited warrant request: Parole Commission.** If the individual is on parole, administrative release, or mandatory release supervision, on the same workday that the factual basis for a warrant request is known by a supervising agent or the agent's supervisor, the agent and supervisor shall, as applicable:

- (a) Submit a request for a warrant to the Parole Commission; or
- (b) Request that the Director issue an emergency warrant.

(6) **Expedited warrant request: court.** If the supervised individual is a probationer, not later than two workdays after the factual basis for a warrant request is known by a supervising agent or the agent's supervisor, the agent or supervisor shall ensure that the warrant request report:

- (a) Includes the recommendation that if the requested warrant is issued, the individual not be released on personal recognizance or bail; and

(b) Is hand delivered to the sentencing court or warrant-duty judge if:

(i) The sentencing court is located in a jurisdiction that cannot accept electronic report submissions through the Judiciary's Maryland Electronic Courts (MDEC) system; and

(ii) Exigent circumstances necessitate the immediate delivery of the report to the sentencing court.

(7) **Follow-up to warrant request.** Unless a requested warrant is issued on the day the request is received by the Parole Commission or a court, the submitting agent or other designated employee shall contact the Parole Commission or court daily to determine whether the warrant request has been granted or denied.

(8) **Case Notes documentation.** An agent or other designated employee shall document in the case notes all efforts and their outcome to have a warrant issued for the individual's arrest.

(9) **Follow-up to warrant issuance.** Following the issuance of a parole retake or VOP warrant, an agent shall follow-up with the Department's Warrant Apprehension Unit or a State or local police agency, as applicable, to expedite warrant service. The follow-up shall include an agent's:

- (a) Making weekly inquiry to the servicing police agency regarding the warrant status;
- (b) Providing to the servicing police agency updated information regarding the wanted individual's possible location as soon as the agent acquires new information regarding the wanted individual's possible location; and
- (c) Taking other steps to effect warrant service, as approved or required by the agent's immediate supervisor or the regional administrator.

J. Out-of-State Travel Prohibited.

An agent or supervisor may not authorize an individual to travel outside of the State if the individual is subject to VPI supervision unless:

- (1) Prior written approval is issued by the Regional Administrator; or
- (2) The out-of-state travel is required for the individual to maintain existing employment.

**Table 1 SUPERVIION CONTACT STANDARDS
VIOLENCE PREVENTION INITIATIVE (VPI)**

LEVEL	VPI		
MINIMUM FACE-TO-FACE CONTACTS	First 90 Days: One positive face-to-face contact per week	If case is in full compliance during first 90 days: Continued weekly positive face-to-face contact with 1 telephone contact allowed per month to substance for a positive face-to-face contact	If Case <u>is not</u> in full compliance during first 90 days: One positive face-to-face contact per week for another 90 day period
POSTIVE FACE-TO-FACE CONTACT DEFINED	A face-to-face contact may be accomplished by one of the following: (1) A positive video (VP) face-to-face contact (video of VPI supervisee must be turned on); (2) An office positive contact (OP); or (3) A home positive contact (HP).		
MINIMUM HOME CONTACT	One per month		
TELEPHONE CONTACT	One per month after the first 90 days of VPI supervision provided the case was in full compliance during the first 90 days.		
SPECIAL CONDITION VERIFICATION	Monthly		
EMPLOYMENT VERIFICATION	Monthly		
KIOSK CONTACTS	Do not utilize Kiosk at this time		

Administrative History

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